

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

| | | |
|------------------------------------|---|----------------------|
| In the Matter of |) | |
| |) | |
| Request by LoJack Corporation of a |) | |
| Partial Waiver of Section |) | WT Docket No. 06-142 |
| 90.20(e)(6) and Part 2 of the |) | |
| Commission's Rules |) | |

REPLY COMMENTS OF LOJACK CORPORATION

The LoJack Corporation ("LoJack"), by its attorneys, hereby submits these reply comments in support of its Request for Partial Waiver of Section 90.20(e)(6) and Part 2 of the Commission's Rules ("Waiver Request"). As detailed in its Comments and earlier filings, there is a substantial public interest in granting the Waiver Request, as doing so would advance law enforcement's ability to search and recover missing persons, including in life threatening circumstances.

There is no opposition to LoJack's waiver request. One other party, Hammett & Edison, filed a comment suggesting that it would be premature to grant the waiver.¹ They provide no valid reason to delay or deny LoJack's waiver request. Their claim, which concerns LoJack's request to allow any member of the Public Safety Pool to use a mobile activation device, is that there is no way to determine whether the waiver would increase the interference risk to Channel 7 stations.² They base their position on the fact that the Commission's Universal Licensing System ("ULS") does not provide a way to determine how many public safety pool licensees are police entities.³

¹ Comments of Hammett & Edison, Inc., WT Docket No. 06-142 (filed Feb. 8, 2011).

² *Id.*

³ *Id.*

Hammett & Edison's position is unfounded for a number of reasons:

- The availability of information in ULS is irrelevant. In every state in which LoJack currently operates, the SVRS license or licenses covering all base stations and mobile use for LoJack's network is held by one police entity. Thus, allowing any Public Safety Pool member to activate the frequency via a mobile device would not increase the number of SVRS licensees. Moreover, ULS does not identify the number or location of mobile units associated with a particular SVRS license. And, the SVRS rules allow certain operations on a license-by-rule basis, which would not be displayed in the ULS. Thus, being able to determine from the ULS which licensees are police entities would serve no purpose in determining the effects of the waiver.
- The purpose of the waiver is to ensure that the appropriate responding law enforcement agency in any given jurisdiction can activate the frequency when a search for missing persons is required. In the most likely scenario, a municipality's fire department or rescue squad, rather than its police department, would use a mobile activation device to activate the frequency in order to search for missing persons. This would not increase the number of users on the frequency.
- Additionally, most of the time the mobile activation units would not be operational, as they would be used mostly when a search for missing persons is conducted. In any one geographic area, the number of missing persons each month would be quite small.

- Finally, LoJack has made a sufficient showing in its filings that the waiver request would not create an increased risk of interference to Channel 7.⁴ Interested parties may respond to this information.

Therefore, for these reasons as well as those stated in the record of this proceeding, LoJack respectfully requests that the Bureau promptly grant a waiver of Sections 90.20(e)(6) and Part 2 of the Commission's Rules, as set forth in the Waiver Request.

Respectfully submitted,

LOJACK CORPORATION

By: /s/ _____
Laura Stefani
Henry Goldberg

GOLDBERG, GODLES, WIENER &
WRIGHT
1229 Nineteenth Street, N.W.
Washington, D.C. 20036
(202) 429-4900

Its Attorneys

February 18, 2011

⁴ See Amendment to Request for Partial Waiver at 2 and Supplemental Response of LoJack Corporation at ¶¶ 3 and 6. Notably, operation of the low-power mobile activation system would be limited to a relatively short time as well as a small geographic area. Moreover, one purpose of the waiver is to allow for the design of a system that can minimize the time it takes to achieve activation.